

ROY BARNES\*  
RICCARDO IACCARINO  
CHARLES R. VIRGINIA\*\*  
LLOYD R. AMBINDER\*\*  
WENDELL V. SHEPHERD

3 Surrey Lane  
Hempstead, New York 11550  
(516) 483-2990  
Fax: (516) 483-0566

MARC A. TENENBAUM\*\*\*

KARIN ARROSPIDE  
DANIELLE M. CARNEY  
DANA HENKE^  
STEVEN KERN++  
SAMER E. KHALAF\*\*+  
STEVEN KERN^^  
HEIDI MAHER  
GILLIAN McGOEY^^  
YONGMIN OH  
ALBERT RODRIGUES  
KELLIE TERESE WALKER  
JUDY S. WONG

**VIA ECF & REGULAR MAIL**

October 31, 2007

Deputy Law Clerk, Jim Reily  
for Honorable Shira A. Scheindlin  
500 Pearl Street, 15C  
New York, NY 10007

Re: Plasterers Local 262 Benefit Funds v. Medway Construction  
Docket No. CV-07-7640

Dear Mr. Reily:

This firm is counsel to the above named Plaintiff Funds.

After receiving my request to the Court, the Defendant contacted an attorney who has agreed to comply with the Plaintiff's audit demand. The earliest appointment the accountants for each party could agree on was December 14. Accordingly, it will not be necessary to submit a Motion for Default.

Please advise if you want our offices to submit a status report as to the results. We are respectfully requesting that if the Court orders a continuance it would not be for period December 14 to December 28 because our clients/Plaintiffs will be out of town.

Thank you.

Sincerely,

  
Danielle M. Carney, Esq.

DMC:jp

cc: Fund Office  
Michael Rabinowitz, Esq. Attorney for Defendants